

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HELAL AHMED et al.,

Plaintiffs,

-v-

DEVI RESTAURANT, LTD. et al.,

Defendants.  
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07 Civ. 3512 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

Plaintiffs move, virtually on the eve of the close of discovery, to compel responses to their Requests for the Production of Documents numbers 16, 17, and 18, which were propounded on August 10, 2007 and very belatedly responded to by defendants on October 25, 2007. As propounded, the requests are overbroad and burdensome on their face, and the objections on those grounds are therefore hereby sustained. This ruling, however, is without prejudice to plaintiffs' exploring with defendant Rakesh Aggarwal at his deposition scheduled for December 20, 2007 the financial condition of the restaurant between 2004 and the time of its closing. It may be that as a result of such questions plaintiffs will have a basis to propound much narrower and more refined document requests and make such requests at the time of the deposition. Any such requests propounded at the time of the deposition, if consented to, must be responded to by the close of discovery on December 31, 2007. If not consented to, the parties are directed to jointly call the Court by no later than December 21, 2007 so that the Court can rule on such requests. Also, if there is any remaining dispute regarding the production of plaintiffs' tax

returns, that dispute may also be raised with the Court by joint telephone call no later than December 21, 2007.

SO ORDERED.



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JED S. RAKOFF, U.S.D.J.

Dated: New York, New York  
December 19, 2007